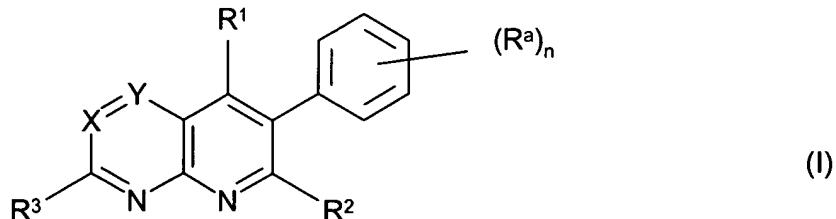


AMENDMENTS TO THE CLAIMS

1. (Original) A bicyclic compound of the formula I



in which

X, Y independently of one another are N or C-R⁴;

n is 1, 2, 3, 4 or 5;

R^a is halogen, cyano, C₁-C₆-alkyl, C₁-C₆-alkoxy, C₁-C₆-haloalkyl, C₁-C₆-haloalkoxy, C₂-C₆-alkenyl, C₂-C₆-alkenylloxy or C(O)R⁵;

R¹ is halogen, cyano, C₁-C₆-alkyl, C₁-C₆-haloalkyl, C₂-C₆-alkenyl, C₂-C₆-alkynyl, C₃-C₈-cycloalkyl which is optionally mono- or polysubstituted by alkyl and/or halogen, C₅-C₈-cycloalkenyl which is optionally mono- or polysubstituted by alkyl and/or halogen, OR⁶, SR⁶ or NR⁷R⁸;

R² is halogen, cyano, C₁-C₆-alkyl, C₁-C₆-haloalkyl, C₂-C₆-alkenyl, C₂-C₆-alkynyl, C₃-C₈-cycloalkyl which is optionally mono- or polysubstituted by alkyl and/or halogen, C₅-C₈-cycloalkenyl which is optionally mono- or polysubstituted by alkyl and/or halogen, OR⁶, SR⁶ or NR⁷R⁸;

R³ is hydrogen, C₁-C₆-alkyl, C₁-C₆-haloalkyl or C₃-C₆-cycloalkyl which is optionally mono- or polysubstituted by alkyl and/or

halogen;

R^4 is hydrogen, halogen, C_1 - C_6 -alkyl, C_1 - C_6 -haloalkyl or C_3 - C_6 -cycloalkyl which is optionally mono- or polysubstituted by alkyl and/or halogen;

R^5 is hydrogen, OH, C_1 - C_6 -alkyl, C_1 - C_6 -alkoxy, C_1 - C_6 -haloalkyl, C_1 - C_6 -haloalkoxy, C_2 - C_6 -alkenyl, C_1 - C_6 -alkylamino or di- C_1 - C_6 -alkylamino, piperidin-1-yl, pyrrolidin-1-yl or morpholin-4-yl;

R^6 is hydrogen, C_1 - C_6 -alkyl, C_1 - C_6 -haloalkyl, phenyl- C_1 - C_4 -alkyl where phenyl may be mono- or polysubstituted by halogen, alkyl or alkoxy, C_2 - C_6 -alkenyl or COR^9 ;

R^7, R^8 independently of one another are hydrogen, C_1 - C_{10} -alkyl, C_2 - C_{10} -alkenyl, C_4 - C_{10} -alkadienyl, C_2 - C_{10} -alkynyl, C_3 - C_8 -cycloalkyl, C_5 - C_8 -cycloalkenyl, C_5 - C_{10} -bicycloalkyl, phenyl, phenyl- C_1 - C_4 -alkyl, naphthyl,

a 5- or 6-membered saturated or partially unsaturated heterocycle which may have 1, 2 or 3 heteroatoms selected from the group consisting of N, O and S as ring members, or

a 5- or 6-membered aromatic heterocycle which may have 1, 2 or 3 heteroatoms selected from the group consisting of N, O and S as ring members,

where the radicals mentioned as R^7, R^8 may be partially or fully halogenated and/or may have 1, 2 or 3 radicals R^b , where

R^b is selected from the group consisting of cyano, nitro, OH, $C_1\text{-}C_6$ -alkyl, $C_1\text{-}C_6$ -alkoxy, $C_1\text{-}C_6$ -haloalkyl, $C_1\text{-}C_6$ -haloalkoxy, $C_1\text{-}C_6$ -alkylthio, $C_2\text{-}C_6$ -alkenyl, $C_2\text{-}C_6$ -alkenyloxy, $C_2\text{-}C_6$ -alkynyl, $C_2\text{-}C_6$ -alkynyloxy, $C_1\text{-}C_6$ -alkylamino, di- $C_1\text{-}C_6$ -alkylamino, piperidin-1-yl, pyrrolidin-1-yl or morpholin-4-yl;

R^7 and R^8 together with the nitrogen atom to which they are attached may also form a 5-, 6- or 7-membered saturated or unsaturated heterocycle which may have 1, 2, 3 or 4 further heteroatoms selected from the group consisting of O, S, N and NR^{10} as ring members and may be partially or fully halogenated and which may have 1, 2 or 3 radicals R^b ; and

R^9, R^{10} independently of one another are hydrogen or $C_1\text{-}C_6$ -alkyl;

or an agriculturally acceptable salt of a compound I,

except for the compounds of the formula I in which R^1 is OH, if Y and X are simultaneously each $C\text{-}R^4$;

and also except for 2,4-dichloro-3-(o-methoxyphenyl)-1,8-naphthyridine.

2. (Original) The compound according to claim 1 of the formula I in which Y and X are each $C\text{-}R^4$.

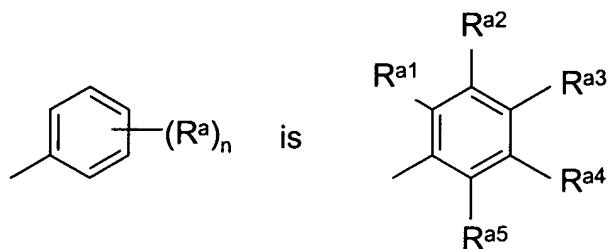
3. (Original) The compound according to claim 1 of the formula I in which Y is N and X is $C\text{-}R^4$.

4. (Original) The compound according to claim 1 of the formula I in which Y is C-R⁴ and X is N.

5. (Original) The compound according to any of the preceding claims of the formula I in which R⁴ is hydrogen, C₁-C₆-alkyl or C₁-C₆-haloalkyl.

6. (Currently Amended) The compound according to ~~any of the preceding claims~~ claim 1 of the formula I in which n is 2, 3, 4 or 5.

7. (Currently Amended) The compound according to ~~any of the preceding claims~~ claim 1 of the formula I in which the group



where

R^{a1} is fluorine, chlorine, trifluoromethyl or methyl;

R^{a2} is hydrogen or fluorine;

R^{a3} is hydrogen, fluorine, chlorine, cyano, C₁-C₄-alkyl, C₁-C₄-alkoxy or C₁-C₄-alkoxycarbonyl;

R^{a4} is hydrogen, chlorine or fluorine;

R^{a5} is hydrogen, fluorine, chlorine, C_1 - C_4 -alkyl or C_1 - C_4 -alkoxy.

8. (Currently Amended) The compound according to ~~any of the preceding claims~~ claim 1 of the formula I in which R^1 is a group NR^7R^8 in which at least one of the radicals R^7 , R^8 is different from hydrogen.

9. (Original) The compound according to claim 8 of the formula I in which

R^7 is C_1 - C_6 -alkyl, C_3 - C_8 -cycloalkyl which is optionally mono- or polysubstituted by alkyl and/or halogen, C_1 - C_6 -haloalkyl, phenyl- C_1 - C_4 -alkyl, C_2 - C_6 -alkenyl or C_2 - C_6 -alkynyl;

R^8 is hydrogen, C_1 - C_6 -alkyl or C_2 - C_6 -alkenyl; or

R^7, R^8 together with the nitrogen atom to which they are attached are a saturated or partially unsaturated 5-, 6- or 7-membered nitrogen heterocycle which may have 1 further heteroatom selected from the group consisting of O, S and NR^{10} as ring member and which may have 1 or 2 substituents selected from the group consisting of C_1 - C_6 -alkyl, C_1 - C_6 -haloalkyl, halogen and hydroxyl, where R^{10} is as defined in claim 1.

10. (Original) The compound according to claim 1 of the formula I in which R^1 is hydroxyl and one of the radicals Y or X is N.

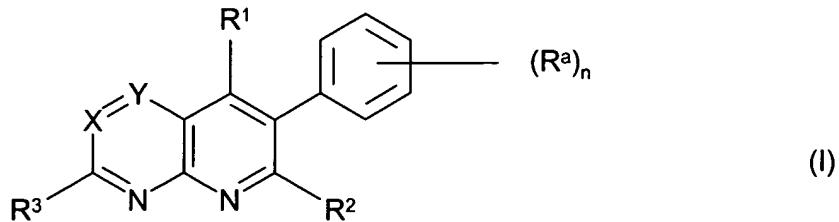
11. (Currently Amended) The compound according to ~~any of claims 1 to 7~~ claim 1 of the formula

I in which R¹ is halogen.

12. (Original) The compound according to claim 1 in which R² is hydroxyl, Y is C-R⁴ and X is C-R⁴ or N.

13. (Currently Amended) The compound according to ~~any of claims 1 to 11~~ claim 1 in which R² is halogen, C₁-C₆-alkyl or C₁-C₆-haloalkyl.

14. (Original) The use of a compound of the formula I



in which

X, Y independently of one another are N or C-R⁴;

n is 1, 2, 3, 4 or 5;

R^a is halogen, cyano, C₁-C₆-alkyl, C₁-C₆-alkoxy, C₁-C₆-haloalkyl, C₁-C₆-haloalkoxy, C₂-C₆-alkenyl, C₂-C₆-alkenyloxy or C(O)R⁵;

R¹ is halogen, cyano, C₁-C₆-alkyl, C₁-C₆-haloalkyl, C₂-C₆-alkenyl, C₂-C₆-alkynyl, C₃-C₈-cycloalkyl which is optionally mono- or polysubstituted by alkyl and/or halogen, C₅-C₈-cycloalkenyl which

is optionally mono- or polysubstituted by alkyl and/or halogen, OR⁶, SR⁶ or NR⁷R⁸;

R² is halogen, cyano, C₁-C₆-alkyl, C₁-C₆-haloalkyl, C₂-C₆-alkenyl, C₂-C₆-alkynyl, C₃-C₈-cycloalkyl which is optionally mono- or polysubstituted by alkyl and/or halogen, C₅-C₈-cycloalkenyl which is optionally mono- or polysubstituted by alkyl and/or halogen, OR⁶, SR⁶ or NR⁷R⁸;

R³ is hydrogen, C₁-C₆-alkyl, C₁-C₆-haloalkyl or C₃-C₆-cycloalkyl which is optionally mono- or polysubstituted by alkyl and/or halogen;

R⁴ is hydrogen, halogen, C₁-C₆-alkyl, C₁-C₆-haloalkyl or C₃-C₆-cycloalkyl which is optionally mono- or polysubstituted by alkyl and/or halogen;

R⁵ is hydrogen, OH, C₁-C₆-alkyl, C₁-C₆-alkoxy, C₁-C₆-haloalkyl, C₁-C₆-haloalkoxy, C₂-C₆-alkenyl, C₁-C₆-alkylamino or di-C₁-C₆-alkylamino, piperidin-1-yl, pyrrolidin-1-yl or morpholin-4-yl;

R⁶ is hydrogen, C₁-C₆-alkyl, C₁-C₆-haloalkyl, phenyl-C₁-C₄-alkyl where phenyl may be mono- or polysubstituted by halogen, alkyl or alkoxy, C₂-C₆-alkenyl or COR⁹;

R⁷, R⁸ independently of one another are hydrogen, C₁-C₁₀-alkyl, C₂-C₁₀-alkenyl, C₄-C₁₀-alkadienyl, C₂-C₁₀-alkynyl, C₃-C₈-cycloalkyl, C₅-C₈-cycloalkenyl, C₅-C₁₀-bicycloalkyl, phenyl, phenyl-C₁-C₄-alkyl,

naphthyl,

a 5- or 6-membered saturated or partially unsaturated heterocycle which may have 1, 2 or 3 heteroatoms selected from the group consisting of N, O and S as ring members, or

a 5- or 6-membered aromatic heterocycle which may have 1, 2 or 3 heteroatoms selected from the group consisting of N, O and S as ring members,

where the radicals mentioned as R⁷, R⁸ may be partially or fully halogenated and/or may have 1, 2 or 3 radicals R^b, where

R^b is selected from the group consisting of cyano, nitro, OH, C₁-C₆-alkyl, C₁-C₆-alkoxy, C₁-C₆-haloalkyl, C₁-C₆-haloalkoxy, C₁-C₆-alkylthio, C₂-C₆-alkenyl, C₂-C₆-alkenyloxy, C₂-C₆-alkynyl, C₂-C₆-alkynyoxy, C₁-C₆-alkylamino, di-C₁-C₆-alkylamino, piperidin-1-yl, pyrrolidin-1-yl or morpholin-4-yl;

R⁷ and R⁸ together with the nitrogen atom to which they are attached may also form a 5-, 6- or 7-membered saturated or unsaturated heterocycle which may have 1, 2, 3 or 4 further heteroatoms selected from the group consisting of O, S, N and NR¹⁰ as ring members, and may be partially or fully halogenated and which may have 1, 2 or 3 radicals R^b; and

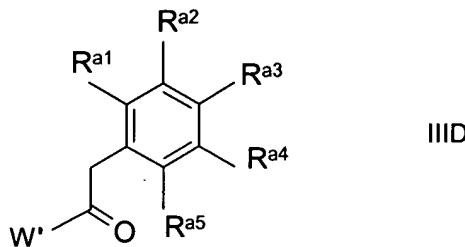
R⁹, R¹⁰ independently of one another are hydrogen or C₁-C₆-alkyl;

or an agriculturally acceptable salt thereof for controlling phytopathogenic fungi.

15. (Original) A method for controlling phytopathogenic fungi, which comprises treating the fungi or the materials, plants, the soil or seed to be protected against fungal attack with an effective amount of a compound of the formula I according to claim 14 and/or with an agriculturally acceptable salt of I.

16. (Original) A composition for controlling phytopathogenic fungi, comprising at least one compound of the formula I according to claim 14 and/or an agriculturally acceptable salt of I and at least one liquid or solid carrier.

17. (Original) A ketone of the formula IIID



in which

W' is C₁-C₆-alkyl, C₁-C₆-haloalkyl, C₂-C₆-alkenyl, C₂-C₆-alkynyl, C₃-C₈-cycloalkyl which is optionally mono- or polysubstituted by alkyl and/or halogen, C₅-C₈-cycloalkenyl which is optionally mono- or polysubstituted by alkyl and/or halogen;

R^{a1} is fluorine, chlorine, trifluoromethyl or methyl;

R^{a2} is hydrogen or fluorine;

R^{a3} is hydrogen, fluorine, chlorine, cyano, C_1 - C_4 -alkyl, C_1 - C_4 -alkoxy or C_1 - C_4 -alkoxycarbonyl;

R^{a4} is hydrogen, chlorine or fluorine;

R^{a5} is hydrogen, fluorine, chlorine, C_1 - C_4 -alkyl or C_1 - C_4 -alkoxy.